

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TUAN PHUONG NGUYEN.

Petitioner,

VS.

V. M. ALMAGER, Warden,

Respondent.

Civil No. 07cv2213-L (RBB)

**ORDER TRANSFERRING ACTION
TO UNITED STATES DISTRICT
COURT FOR THE CENTRAL
DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION**

Petitioner, a California state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges a conviction from the Orange County Superior Court in Santa Ana, California. In accordance with the practice of district courts in California, the Court transfers the Petition to the United States District Court for the Central District of California, Southern Division.

22 A petition for writ of habeas corpus may be filed in the United States District Court of
23 the judicial district in which the petitioner is presently confined or the judicial district in which
24 he was convicted and sentenced. See 28 U.S.C. § 2241(d); Braden v. 30th Judicial Circuit
25 Court, 410 U.S. 484, 497 (1973). Petitioner here attacks a conviction suffered in the Orange
26 County Superior Court in Santa Ana, California. (Pet. at 1.) That court is located in Orange
27 County, which is within the jurisdictional boundaries of the United States District Court for the
28 Central District of California, Southern Division. See 28 U.S.C. § 84(c)(3). Petitioner is

1 presently confined at Centinela State Prison in Imperial, California. That prison is located in San
2 Diego County, California, within the jurisdictional boundaries of the United States District Court
3 for the Southern District of California. See 28 U.S.C. § 84(d). Jurisdiction over this Petition
4 thus exists in the Central District of California, Southern Division, and in the Southern District
5 of California. See 28 U.S.C. § 2241(d).

6 It is generally the practice of the district courts in California to transfer habeas actions
7 challenging a state conviction to the district in which a petitioner was convicted. Any and all
8 records, witnesses and evidence necessary for the resolution of a petitioner's contentions are
9 more readily available in that district. See Braden, 410 U.S. at 497, 499 n.15; Laue v. Nelson,
10 279 F. Supp. 265, 266 (N.D. Cal. 1968). In this case, that district is the Central District of
11 California, Southern Division. Therefore, in the furtherance of justice,

12 **IT IS ORDERED** that the Clerk of this Court transfer this matter to the United States
13 District Court for the Central District of California, Southern Division. See 28 U.S.C. § 2241(d).

14 **IT IS FURTHER ORDERED** that the Clerk of this Court serve a copy of this Order
15 upon Petitioner and upon the California Attorney General.

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17 DATED: November 26, 2007

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19 M. James Lorenz
United States District Court Judge

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